

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DAVID STARKS, #N-03758, and)
MICHAEL VELASQUEZ, #K-53666,)
)
Plaintiffs,)
) **CIVIL NO. 06-699-MJR**
vs.)
)
RUANN TANNER, *et al.*,)
)
Defendants.)

MEMORANDUM AND ORDER

REAGAN, District Judge:

The Court previously advised Plaintiffs of the individual payment requirement, as well as the other risks prisoner *pro se* litigants face in joint *pro se* litigation; each Plaintiff was given an opportunity to drop out of this action without prejudice (*see* Doc. 6). Now before the Court is Plaintiff Velasquez's motion to be dismissed from this action (Doc. 7), accompanied by a new complaint and *in forma pauperis* motion to be filed as a separate, new action.

The instant motion is **GRANTED**; Velasquez is **DISMISSED** from this action without prejudice. It follows that his motion to proceed *in forma pauperis* in this action (Doc. 3) is now **MOOT**. The Clerk is **DIRECTED** to file his complaint and *in forma pauperis* motion as a new case.

IT IS SO ORDERED.

DATED this 2nd day of November, 2006.

s/ Michael J. Reagan

MICHAEL J. REAGAN
United States District Judge